

I just want to say, Madam Speaker, briefly, when we honor you today, Jack, we honor all of the extraordinary support staff and professionals that serve the United States House of Representatives because you represent the finest of them through your 30 years of service. Most of us don't know, he is not just Jack Kelliher, he could be our Jack Bauer. He pulled, at one point as a Capitol police officer, a bomber from the gallery. He has a distinguished history of valor and patriotic service at the highest level. And he is the Keeper of the Mace and Assistant Sergeant at Arms.

Sitting next to him is Joyce Hamlett, who will take his place full time. She is my best friend here in the House. We love Joyce.

We are grateful for Jack. As was said, I have had more laughs in the last 15 years with Jack out on the balcony than just about anybody in the House. He is a good-natured man and a man of extraordinary commitment to our country. We will sorely miss him. In St. Augustine a number of years ago they bought a little place not on the beach but just off the beach. And it is where he goes to get away from us. And we won't follow you there, Jack. We want you and Nancy to enjoy those days and come back to see us. But know every minute how grateful every man and woman in the U.S. House of Representatives is for your service to our country, Jack. Thank you and we honor you.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 1, AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 88, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 244, nays 183, not voting 5, as follows:

[Roll No. 34]

YEAS—244

Abercrombie	Becerra	Bright
Ackerman	Berkley	Brown, Corrine
Adler (NJ)	Berman	Butterfield
Altmire	Bishop (GA)	Capps
Andrews	Bishop (NY)	Capuano
Arcuri	Blumenauer	Cardoza
Baca	Boccheri	Carnahan
Baird	Boren	Carney
Baldwin	Boucher	Carson (IN)
Barrow	Brady (PA)	Castor (FL)
Bean	Braley (IA)	Chandler

Childers	Jackson-Lee	Peters
Clarke	(TX)	Pingree (ME)
Clay	Johnson (GA)	Polis (CO)
Cleaver	Johnson, E. B.	Pomeroy
Clyburn	Kagen	Price (NC)
Cohen	Kanjorski	Rahall
Connolly (VA)	Kaptur	Rangel
Conyers	Kennedy	Reyes
Cooper	Kildee	Richardson
Costa	Kilpatrick (MI)	Rodriguez
Costello	Kilroy	Ross
Courtney	Kind	Rothman (NJ)
Crowley	Kirkpatrick (AZ)	Roybal-Allard
Cuellar	Kissell	Ruppersberger
Cummings	Klein (FL)	Rush
Dahlkemper	Kosmas	Ryan (OH)
Davis (AL)	Kratovil	Salazar
Davis (CA)	Kucinich	Sánchez, Linda
Davis (IL)	Langevin	T.
Davis (TN)	Larsen (WA)	Sanchez, Loretta
DeFazio	Larson (CT)	Sarbanes
DeGette	Lee (CA)	Schakowsky
Delahunt	Levin	Schauer
DeLauro	Lewis (GA)	Schiff
Dicks	Lipinski	Schrader
Dingell	Loeb sack	Schwartz
Doggett	Loftgren, Zoe	Scott (GA)
Donnelly (IN)	Lowe	Scott (VA)
Doyle	Lujan	Serrano
Driehaus	Lynch	Sestak
Edwards (MD)	Maffei	Shea-Porter
Edwards (TX)	Maloney	Sherman
Ellison	Markey (CO)	Sires
Ellsworth	Markey (MA)	Skelton
Engel	Marshall	Slaughter
Eshoo	Massa	Smith (WA)
Etheridge	Matheson	Snyder
Farr	Matsui	Space
Fattah	McCarthy (NY)	Speier
Finer	McCollum	Spratt
Foster	McDermott	Stark
Frank (MA)	McGovern	Stupak
Fudge	McIntyre	Sutton
Giffords	McMahon	Tanner
Gonzalez	McNerney	Tauscher
Gordon (TN)	Meek (FL)	Teague
Grayson	Meeke (NY)	Thompson (CA)
Green, Al	Michaud	Thompson (MS)
Green, Gene	Miller (NC)	Tierney
Griffith	Miller, George	Titus
Grijalva	Mitchell	Tonko
Gutierrez	Mollohan	Towns
Hall (NY)	Moore (KS)	Tsongas
Halvorson	Moore (WI)	Van Hollen
Hare	Moran (VA)	Velázquez
Harman	Murphy (CT)	Visclosky
Hastings (FL)	Murphy, Patrick	Walz
Heinrich	Murtha	Wasserman
Hereth Sandlin	Nadler (NY)	Schultz
Higgins	Napolitano	Waters
Himes	Neal (MA)	Watson
Hinche	Nye	Watt
Hinojosa	Oberstar	Waxman
Hirono	Obey	Weiner
Hodes	Olver	Welch
Holden	Ortiz	Wexler
Holt	Pallone	Wilson (OH)
Honda	Pascrell	Woolsey
Hoyer	Pastor (AZ)	Wu
Inslee	Payne	Yarmuth
Israel	Perlmutter	
Jackson (IL)	Perriello	

NAYS—183

Aderholt	Brown (SC)	Diaz-Balart, M.
Akin	Buchanan	Dreier
Alexander	Burgess	Duncan
Austria	Burton (IN)	Ehlers
Bachmann	Buyer	Emerson
Bachus	Calvert	Fallin
Barrett (SC)	Camp	Flake
Bartlett	Campbell	Fleming
Barton (TX)	Cantor	Forbes
Berry	Cao	Fortenberry
Biggert	Capito	Fox
Bilbray	Carter	Franks (AZ)
Bilirakis	Cassidy	Frelinghuysen
Bishop (UT)	Castle	Gallagher
Blackburn	Chaffetz	Garrett (NJ)
Blunt	Coble	Gerlach
Boehner	Coffman (CO)	Gingrey (GA)
Bonner	Cole	Gohmert
Bono Mack	Conaway	Goodlatte
Boozman	Crenshaw	Granger
Boswell	Culberson	Graves
Boustany	Davis (KY)	Guthrie
Boyd	Deal (GA)	Hall (TX)
Brady (TX)	Dent	Harper
Broun (GA)	Diaz-Balart, L.	Hastings (WA)

Heller	McClintock	Rooney
Hensarling	McCotter	Ros-Lehtinen
Herger	McHenry	Roskam
Hill	McHugh	Royce
Hoekstra	McKeon	Ryan (WI)
Hunter	McMorris	Scalise
Inglis	Rodgers	Schmidt
Issa	Mica	Schock
Jenkins	Miller (FL)	Sensenbrenner
Johnson (IL)	Miller (MI)	Sessions
Johnson, Sam	Miller, Gary	Shadegg
Jones	Minnick	Shimkus
Jordan (OH)	Moran (KS)	Shuler
King (IA)	Murphy, Tim	Simpson
King (NY)	Myrick	Smith (NE)
Kingston	Neugebauer	Smith (NJ)
Kirk	Nunes	Smith (TX)
Kline (MN)	Olson	Souder
Lamborn	Paul	Stearns
Lance	Paulsen	Sullivan
Latham	Pence	Taylor
LaTourette	Peterson	Terry
Latta	Petri	Thompson (PA)
Lee (NY)	Pitts	Thornberry
Lewis (CA)	Platts	Tiahrt
Linder	Poe (TX)	Posey
LoBiondo	Price (GA)	Turner
Lucas	Putnam	Upton
Luetkemeyer	Radanovich	Walden
Lummis	Rehberg	Wamp
Lungren, Daniel	Reichert	Westmoreland
E.	Roe (TN)	Whitfield
Mack	Rogers (AL)	Wilson (SC)
Manzullo	Rogers (KY)	Wittman
Marchant	Rogers (MI)	Wolf
McCarthy (CA)	Rohrabacher	Young (FL)
McCaul		

NOT VOTING—5

Brown-Waite,	Melancon	Tiberi
Ginny	Solis (CA)	Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on this vote.

□ 1446

Mr. SHULER changed his vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 191, not voting 6, as follows:

[Roll No. 35]

YEAS—235

Abercrombie	Capps	Davis (IL)
Ackerman	Capuano	Davis (TN)
Adler (NJ)	Cardoza	DeFazio
Altmire	Carnahan	DeGette
Andrews	Carson (IN)	Delahunt
Arcuri	Castor (FL)	DeLauro
Baca	Chandler	Dicks
Baird	Childers	Dingell
Baldwin	Clarke	Doggett
Barrow	Clay	Doyle
Bean	Cleaver	Driehaus
Becerra	Clyburn	Edwards (MD)
Berkley	Cohen	Edwards (TX)
Berman	Connolly (VA)	Ellison
Bishop (GA)	Conyers	Ellsworth
Bishop (NY)	Costa	Engel
Blumenauer	Costello	Eshoo
Boccheri	Courtney	Etheridge
Boren	Crowley	Farr
Boucher	Cuellar	Fattah
Brady (PA)	Cummings	Finer
Braley (IA)	Dahlkemper	Foster
Brown, Corrine	Davis (AL)	Frank (MA)
Butterfield	Davis (CA)	Fudge

Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Himes
Hinchee
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebach
Lofgren, Zoe
Lowey
Lujan
Lynch

Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Oliver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush

Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skeltton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watson
Watt
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—191

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Berry
Biggert
Blibray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boswell
Boustany
Boyd
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carney
Carter
Cassidy
Castle

Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaull
McClintock
McCotter
McHenry
McHugh

Herger
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kanjorski
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaull
McClintock
McCotter
McHenry
McHugh

McKeon
McMorris
Rodgers
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Moran (KS)
Moran (VA)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey

Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster

Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (FL)

NOT VOTING—6

Brown-Waite,
Ginny
Massa

Solis (CA)
Tiberi
Waxman

Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes are remaining on this vote.

□ 1458

Mr. ROSS changed his vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS OF THE HOUSE TO BE AVAILABLE TO SERVE ON INVESTIGATIVE SUBCOMMITTEES OF THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

The SPEAKER pro tempore. Pursuant to clause 5(a)(4)(a) of rule X, and the order of the House of January 6, 2009, the Chair announces the Speaker named the following Members of the House to be available to serve on investigative subcommittees of the Committee on Standards of Official Conduct for the 111th Congress:

Mr. GENE GREEN, Texas
Mr. SCOTT, Virginia

□ 1500

COMMUNICATION FROM THE REPUBLICAN LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN A. BOEHNER, Republican leader:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 27, 2009.

HON. NANCY PELOSI,
Speaker, U.S. Capitol,
Washington, DC.

DEAR SPEAKER PELOSI: Pursuant to clause 5(a)(4)(A) of rule X of the Rules of the House of Representatives, I designate the following Member to be available for service on the investigative subcommittee of the Committee on Standards of Official Conduct during the 111th Congress: The Honorable Doc Hastings of Washington.

Sincerely,

JOHN A. BOEHNER,
Republican Leader.

LILLY LEDBETTER FAIR PAY ACT OF 2009

Mr. GEORGE MILLER of California. Mr. Speaker, pursuant to H. Res. 87, I call up the Senate bill (S. 181) to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 181

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Lilly Ledbetter Fair Pay Act of 2009”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Supreme Court in *Ledbetter v. Goodyear Tire & Rubber Co.*, 550 U.S. 618 (2007), significantly impairs statutory protections against discrimination in compensation that Congress established and that have been bedrock principles of American law for decades. The *Ledbetter* decision undermines those statutory protections by unduly restricting the time period in which victims of discrimination can challenge and recover for discriminatory compensation decisions or other practices, contrary to the intent of Congress.

(2) The limitation imposed by the Court on the filing of discriminatory compensation claims ignores the reality of wage discrimination and is at odds with the robust application of the civil rights laws that Congress intended.

(3) With regard to any charge of discrimination under any law, nothing in this Act is intended to preclude or limit an aggrieved person's right to introduce evidence of an unlawful employment practice that has occurred outside the time for filing a charge of discrimination.

(4) Nothing in this Act is intended to change current law treatment of when pension distributions are considered paid.

SEC. 3. DISCRIMINATION IN COMPENSATION BECAUSE OF RACE, COLOR, RELIGION, SEX, OR NATIONAL ORIGIN.

Section 706(e) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-5(e)) is amended by adding at the end the following:

“(3)(A) For purposes of this section, an unlawful employment practice occurs, with respect to discrimination in compensation in violation of this title, when a discriminatory compensation decision or other practice is adopted, when an individual becomes subject to a discriminatory compensation decision or other practice, or when an individual is affected by application of a discriminatory compensation decision or other practice, including each time wages, benefits, or other compensation is paid, resulting in whole or in part from such a decision or other practice.

“(B) In addition to any relief authorized by section 1977A of the Revised Statutes (42